

Erica J. Van Loon, State Bar No. 227712
evanloon@nixonpeabody.com
Joshua J. Pollack, State Bar No. 215922
jpollack@nixonpeabody.com
NIXON PEABODY LLP
300 South Grand Avenue, Suite 4100
Los Angeles, CA 90071-3151
Telephone: 213-629-6000
Facsimile: 213-629-6001

Attorneys for Plaintiffs
Brittany Xavier and Thrifts and Threads, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRITTANY XAVIER, an individual;
and THRIFTS AND THREADS, INC.,
a California Corporation,

Plaintiffs,

vs.

UNDEFINED, INC., a Delaware
Corporation; and DOES 1-10, inclusive,

Defendants.

Case No. 4:23-cv-01483-HSG

**APPLICATION OF PLAINTIFFS
BRITTANY XAVIER AND
THRIFTS AND THREADS, INC.
FOR ENTRY OF DEFAULT
AGAINST UNDEFINED,
INC.**

Pursuant to Federal Rule of Civil Procedure 55(a), Plaintiffs Brittany Xavier and Thrifts and Threads, Inc., by and through their undersigned counsel, respectfully request that the Clerk of Court enter default against Defendant Undefined, Inc., on the basis that the record in this case demonstrates there has been a failure to timely plead or otherwise defend. The grounds for this Application are set forth in the accompanying Declaration of Joshua J. Pollack, filed concurrently herewith.

1 Dated: May 19, 2023

NIXON PEABODY LLP

2
3 By: /s/ Joshua J. Pollack

4 Erica J. Van Loon
Joshua J. Pollack

5 Attorneys for Plaintiffs
6 Brittany Xavier and Thrifts and
7 Threads, Inc.
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

NIXON PEABODY LLP
ATTORNEYS AT LAW
3005 GRAND AVENUE, SUITE 4100
LOS ANGELES, CA 90071-3151